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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MARVIN KATZ

Plaintiff,

vs.

BANK OF AMERICA, N.A. and  
SPECIALIZED LOAN SERVICING LLC

Defendants.

Case No. 2:15-cv-00233-LDG-CWH

**PLAINTIFF'S COMBINED MOTION FOR A THIRTY (30) DAY  
EXTENSION THROUGH DECEMBER 2, 2015 TO RESPOND  
TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND  
MOTION TO EXTEND THE DISCOVERY DEADLINE BY  
FORTY-FIVE (45) DAYS THROUGH JANUARY 28, 2016  
[SECOND REQUESTS]**

This Motion is filed pursuant to local rule 6-1. It has also been filed pursuant to local rule 26-4. Local rule 26-4 requires any request to extend a discovery or case management deadline be received no later than twenty-one (21) days prior to the expiration of the subject deadline. On March 18, 2015 this Honorable Court adopted the parties' initial Stipulated Discovery Plan and Scheduling Order which provided for a discovery deadline of September 14, 2015 [#10]. On August 28, 2015 this Honorable Court extended the discovery cutoff through December 14, 2015 [#26].

1 As previously noted in prior motion practice in this action, counsel for Plaintiff is a sole  
2 practitioner who has been out of the office tending to various personal matters including the  
3 extended distribution of his parents' estate and the severe illness of a sibling. Counsel for  
4 Plaintiff's unmarried sister resides in South Florida and has been diagnosed with lung cancer.  
5 Last week she passed out breaking both her shoulder and knee. She has been readmitted to a  
6 hospital in South Florida with relevant signs that this is her final illness. Counsel for Plaintiff  
7 anticipates being extensively out of the office over the near term.

8 It is important to note that counsel for Plaintiff has dealt with both opposing counsel and  
9 other attorneys in her firm, Akerman LLP, representing Bank of America in other litigation and  
10 has always provided requested extensions to Discovery and Case Management deadlines *without*  
11 *any objection*. These granted extensions often exceeded what Plaintiff now requests herein.

12 Statement Specifying The Discovery Completed:

13 During early April, 2015 Plaintiff served Defendant SLS with his first set of  
14 interrogatories and request for production of documents. On May 5, 2015 SLS requested an  
15 extension through June 1, 2015 which was immediately provided. On June 1, 2015 SLS served  
16 its responses objecting to each and every interrogatory and request for production of documents  
17 in boilerplate fashion. Absent either settlement or an agreement to provide the discovery sought,  
18 Plaintiff will be required to file a Motion to Compel.

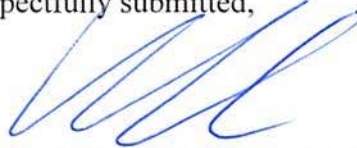
19 Description Of The Discovery That Remains To Be Completed:

20 Defendants have served no discovery and haven't noticed any depositions. It is unknown  
21 what their plans are. Plaintiff intends to serve written discovery upon BOA and take depositions  
22 of both Defendants. As noted, supra, Plaintiff will also need to deal with the issue of SLS's  
23 alleged failure to appropriately respond to Plaintiff's prior written discovery.

24 Plaintiff additionally requests a thirty (30) day extension through December 2, 2015 to  
25 respond to Defendants' Motion for Summary Judgment filed September 2, 2015 [#28]. Plaintiff  
26 has received one prior fourteen day extension [#30].  
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1 Counsel for Plaintiff apologizes regarding these requests and recognizes the importance  
2 of dutifully proceeding. Counsel for Plaintiff also recognizes the likelihood in a few weeks there  
3 will be little need for any further extensions.

4 Respectfully submitted,

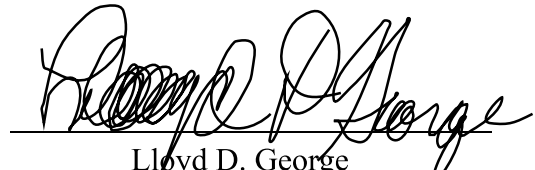


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9 Attorney for Plaintiff  
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14 ORDER

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16 IT IS SO ORDERED that a thirty-day extension through December 2, 2015, to respond to  
17 defendants' Motion for Summary Judgment only is hereby GRANTED.

18 DATED this 4 day of November, 2015.



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20 Lloyd D. George  
21 Sr. U.S. District Judge  
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